

## Licensing Sub-Committee

Friday 1 March 2019

10.00 am

Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Renata Hamvas (Chair)  
Councillor Sirajul Islam  
Councillor Kath Whittam

### Reserves

Councillor Sunny Lambe

---

### INFORMATION FOR MEMBERS OF THE PUBLIC

---

#### Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

#### Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

#### Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: [www.southwark.gov.uk](http://www.southwark.gov.uk) or please contact the person below.

#### Contact

Andrew Weir on 020 7525 7222 or email: [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk)

---

Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 19 February 2019



## **Licensing Sub-Committee**

Friday 1 March 2019

10.00 am

Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

### **Order of Business**

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
-----------------	--------------	-----------------

#### **PART A - OPEN BUSINESS**

**1. APOLOGIES**

To receive any apologies for absence.

**2. CONFIRMATION OF VOTING MEMBERS**

A representative of each political group will confirm the voting members of the committee.

**3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT**

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

**4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.

<b>5. LICENSING ACT 2003: UNIT 1, CANADA WATER RETAIL PARK, SURREY QUAYS ROAD, LONDON SE16 2XU</b>	<b>1 - 43</b>
--	---------------

<b>6. LICENSING ACT 2003: CHANDNI RESTAURANT, 134A THURLOW PARK ROAD, LONDON SE21 8HN</b>	<b>44 - 92</b>
---	----------------

**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

**PART B - CLOSED BUSINESS****EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

**ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

Date: 19 February 2019

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 1 March 2019	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Unit 1, Canada Water Retail Park, Surrey Quays Road, London SE16 2XU	
<b>Ward(s) of group(s) affected</b>		Rotherhithe	
<b>From</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATION

1. That the licensing sub-committee considers whether an application submitted by Venue Lab Limited for a premises licence be granted under the Licensing Act 2003 in respect of the premises known as Unit 1, Canada Water Retail Park, Surrey Quays Road, London SE16 2XU.
2. Notes:
  - a) The application was submitted under Section 17 of the Licensing Act 2003 and is for a premises licence. The application is subject to representations and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 12 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 13 to 20 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached to this report in Appendices B and C. A map showing the location of the premises is attached to this report as Appendix D.
  - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

3. The Licensing Act 2003 provides a licensing regime for:
  - The sale of and supply of alcohol
  - The provision of regulated entertainment
  - The provision of late night refreshment.
4. Within Southwark the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
  - The prevention of crime and disorder
  - The promotion of public safety
  - The prevention of nuisance

- The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to
- The Act itself
  - The guidance to the act issued under Section 182 of the Act
  - Secondary regulations issued under the Act
  - The licensing authority's own statement of licensing policy
  - The application, including the operating schedule submitted as part of the application
  - Relevant representations.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives

## **KEY ISSUES FOR CONSIDERATION**

### **The premises licence application**

8. On 21 December 2018 Venue Lab Limited applied to this council for the grant of a premises licence in respect of Unit 1, Canada Water Retail Park, Surrey Quays Road, London SE16 2XU.
9. The application is summarised as follows:

The provision of plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performances of dance, anything similar to live music, recorded music and performances of dance:

- Monday to Saturday: 08:00 to 01:00 the following day
- Sunday: 08:00 to 00:00 (midnight)

The provision of late night refreshment:

- Monday to Saturday: 23:00 to 01:00 the following day
- Sunday; 23:00 to 00:00

The sales of alcohol to be consumed on and off the premises:

- Monday to Saturday: 08:00 to 01:00 the following day
- Sunday: 08:00 to 00:00

Opening hours

- Monday to Saturday: 08:00 to 01:00 the following day
- Sunday: 08:00 to 00:00

Non standard timings as follows:

- That on New Year's Eve licensable activities shall also be permitted between the end of hours permitted for licensable activities on New Year's Eve until the start of hours permitted for licensable activities on New year's Day.

10. The intended operation of the premises is stated in the application as follows:

"The premises will operate as a multi functional events space and entertainment venue with a maximum capacity of 1,500 people in line with granted planning permission. Flexibility is required to market the premises for different types of events."

11. The premises licence application form provides the applicant's operating schedule. Parts A, B, C, D, E, F, G, H, I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application then the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report as appendix A.

#### **Designated premises supervisor**

12. The proposed designated premises supervisor (DPS) is Rebecca Blatter.

#### **Representations from responsible authorities**

13. Representations have been submitted by this council's environmental protection team, the Metropolitan Police Service and this council's licensing responsible authority.

14. The environmental protection team's representation has been submitted in respect of the prevention of public nuisance licensing objective. The representation is concerned with the proximity of the premises to local residents, the dispersal of the proposed 1500 patrons from the premises and the cumulative impact that the proposed operation of the premises, and the existing operation of the neighbouring 'Paintworks' and 'Hawkers House' venues will have on the locale. The representation seeks clarification of the proposed noise management plan and also details of any noise propagation tests that have been undertaken or are to be undertaken. The representation contends that suitable planning permission has not yet been granted in respect of the intended operation of the premises. The representation notes that the premises' proposed smoking area is not shown on the plan of the premises.

15. The Metropolitan Police Service's representation notes that the premises does not fall within any category of licensed premises regarding the closing times suggested in this council's statement of licensing policy. The representation is concerned with the possible cumulative impact that the proposed operation of the premises, and the operation of a neighbouring venue with a capacity of up to 6500 patrons, will have on the locale. The representation has suggested a limit on the number of events per year that can take place at the premises and that such events are not operated at the same time that events are taking place at the neighbouring 'Printworks' venue. The representation seeks clarification of the proposed dispersal policy in respect of the premises and objects to the granting of the application until such time that the Metropolitan Police Service are satisfied that a dispersal policy suitable to promote the licensing objectives has been devised.

16. The licensing responsible authority's representation has been submitted in respect of the prevention of crime and disorder and the prevention of public nuisance licensing objectives. The representation notes the closing times suggested in respect of differing types of licensed premises stated in this council's statement of licensing policy. The representation recommends that sales of alcohol cease at least 30 minutes prior to the premises' closing time on each day and also requests the provision of a dispersal policy. The representation is further concerned that off sales are offered in the application for up to 1500 people and recommended that off sales be removed from the application.
17. Copies of the representations submitted by responsible authorities, and any related correspondence, are attached to this report as Appendix B.

### **Representations from other persons**

18. One representation has been submitted by an other person, being a local tenants and residents association.
19. The representation recommends that the operating hours of the premises be amended to finish at 23:00 hours daily given the residential nature of the surrounding area. The representation raises various questions with reference to the clearing away and cleaning up of any waste caused by the operation of the premises, the proposed security provision at the premises, the operation of any external areas of the premises, the provision of toilets at the premises and the dispersal of patrons from the area.
20. A copy of the representation submitted by the other person is attached as Appendix C.

### **Conciliation**

21. The applicant was sent the representations that were submitted, and was advised to address the concerns within the representations.
22. On 25 January 2019 the applicant met with this council's environmental protection team, the Metropolitan Police Service and this council's licensing responsible authority to discuss the application and the intended operation of the premises. The applicant agreed to make some amendments to the application and to also consider further amendments suggested by the environmental protection team, the Metropolitan Police Service and the licensing responsible authority.
23. The applicant provided a response to the matters discussed at the meeting. The response included a dispersal policy, agreement to amend the hours for the sale of alcohol so that they finish 30 minutes prior to the premises' closing time on each day, a proposed condition to delineate the type of events that can be held at the premises and a proposed condition to address the regular taking of acoustic readings when the premises are in operation.
24. The environmental protection team replied to the response and requested further conditions. The applicant in turn provided a reply accepting the conditions and attempting to address the further concerns of the environmental protection team. Copies of correspondence outlining the applicant's reply to the environmental protection team, the Metropolitan Police Service and licensing responsible authority and the subsequent correspondence between the environmental protection team and the applicant are included in Appendix B. The dispersal policy is not included

because it is a confidential operational document. Copies of the dispersal policy will be provided to the licensing sub-committee at the hearing to determine this application.

25. Notwithstanding the above, at this time all of the representations submitted remain outstanding and must be considered by the licensing sub-committee. At the hearing to determine the application an update will be provided to the licensing sub-committee regarding any further proposed amendments to the application.

### **Premises history**

26. On 21 December 2018 Venue Lab Limited applied to this council for the grant of a premises licence in respect of Unit 1, Canada Water Retail Park, Surrey Quays Road, London SE16 2XU.

### **Deregulation of entertainment**

27. On 6 April 2015 entertainment became deregulated and as a result:
  - Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
  - Live amplified music and recorded music are deregulated between 08:00 and 23:00 at on licensed premises for an audience of up to 500 people.
  - Plays and the performance of dance are deregulated between 08:00 and 23:00 for an audience of up to 500 people.
  - Indoor sporting events are deregulated between 08:00 and 23:00 for an audience of up to 1000 people.
28. Live music and recorded music can become licensable in on-licensed premises if the licensing authority removes the effect of deregulation following a licence review ('licence review mechanism').
29. The showing of films has not been deregulated.

### **Map**

30. A map showing the location of the premises is attached to this report as Appendix D. The following licensed premises are also shown on the map and provide licensable activities as stated:

#### **The Printworks, 1 Surrey Quays Road, London SE16 7ND licensed for:**

- Live music, recorded music, entertainment similar to live / recorded music, films, indoor sporting events plays, the sale of alcohol to be consumed on or off the premises
  - Sunday to Thursday: 10:00 to 01:00
  - Friday and Saturday: 10:00 to 02:00
- Late night refreshment:
  - Sunday to Thursday: 23:00 to 01:00



- Friday and Saturday: 23:00 to 02:00.

**Odeon, Surrey Quays Leisure Park, Redriff Road, London SE16 7LL** licensed for:

- Live music, recorded music entertainment similar to live / recorded music, films performance of dance, plays
  - Monday to Sunday: 09:00 to 03:00 the following day
- Late night refreshment
  - Monday to Sunday: 23:00 to 03:00 the following day
- The sale of alcohol to be consumed on the premises
  - Monday to Sunday: 11:00 to 01:00 the following day.

**Hollywood Bowl, 3A Teredo Street, London SE16 7LW** licensed for:

- Films and the sale of alcohol to be consumed on and off the premises
  - Monday to Sunday: 10:00 to 01:00
- Indoor sporting events:
  - Monday to Sunday: 09:00 to 01:00
- Recorded music:
  - Monday to Sunday: 08:00 to 01:30.

**Leadbelly's Bar & Kitchen, Unit C, Montreal House, Surrey Quays Road, London SE16 7AQ** licensed for:

- Recorded music and the sale of alcohol to be consumed on and off the premises
  - Monday to Thursday: 09:00 to 23:30
  - Friday and Saturday: 09:00 to 00:30 the following day
  - Sunday: 09:00 to 23:00
- Late night refreshment:
  - Monday to Thursday: 23:00 to 23:30
  - Friday and Saturday: 23:00 to 00:30 the following day
  - Sunday: 09:00 to 23:00.

### **Southwark council statement of licensing policy**

31. Council assembly approved Southwark's statement of licensing policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:

- Section 3 – Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications
  - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
  - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy
  - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
  - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
  - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
  - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
  - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
32. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
33. The premises are located in Canada Water major town centre area. Closing times suggested in the statement of licensing policy for relevant types of licensed premises located in Canada Water major town centre area are:
- Restaurants, cafes and takeaways:
    - Friday and Saturday: 01:00
    - Sunday to Thursday: 00:00
  - Public houses, wine bars or other drinking establishments:
    - Friday and Saturday: 00:00
    - Sunday to Thursday: 23:00
  - Nightclubs
    - Friday and Saturday: 03:00
    - Sunday to Thursday: 01:00

- Cinemas and theatres:
  - Monday to Sunday: 02:00
- Off-licences:
  - Monday to Sunday: 00:00.

### **Resource implications**

34. A fee of £635.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band E.
35. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and similar notices were exhibited outside of the premises for a period of 28 consecutive days.

### **Community impact statement**

36. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

37. The sub-committee is asked to determine the application for a premises licence under section 17 of the Licensing Act 2003.
38. The principles which sub-committee members must apply are set out below.

### **Principles for making the determination**

39. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
40. Relevant representations are those which:
  - Are about the likely effect of the granting of the application on the promotion of the licensing objectives
  - Are made by an interested party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
41. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
  - To grant the licence subject to:

- The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
  - Any condition which must under section 19, 20 or 21 be included in the licence.
- To exclude from the scope of the licence any of the licensable activities to which the application relates.
  - To refuse to specify a person in the licence as the premises supervisor.
  - To reject the application.

### **Conditions**

42. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
43. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
44. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
45. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
46. Members are also referred to the Home Office revised guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

### **Reasons**

47. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision.

### **Hearing procedures**

48. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:

- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
  - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
    - Address the authority
    - If given permission by the committee, question any other party.
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
  - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
  - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
  - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
49. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

### **Council's multiple roles and the role of the licensing sub-committee**

50. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
51. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
52. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must

give fair consideration to the contentions of all persons entitled to make representations to them.

53. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
54. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
55. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Other persons must live in the vicinity of the premises. This will be decided on a case to case basis.
56. Under the Human Rights Act 1998 the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
57. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

### **Guidance**

58. Members are required to have regard to the Home Office revised guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

### **Strategic Director of Finance and Governance**

59. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Licensing Act 2003 Home Office Guidance to the Act Secondary Regulations Southwark statement of licensing policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Mrs Kirty Read Tel: 020 7525 5748

**APPENDICES**

<b>Name</b>	<b>Title</b>
Appendix A	Copy of the application
Appendix B	Copies of the representations submitted by responsible authorities and related correspondence
Appendix C	Copy of the representation submitted by an other persons
Appendix D	Map of the local area

**AUDIT TRAIL**

<b>Lead Officer</b>	Ian Smith, Strategic Director of Environment and Leisure		
<b>Report Author</b>	Wesley McArthur, Principal Licensing Officer		
<b>Version</b>	Final		
<b>Dated</b>	13 February 2019		
<b>Key Decision?</b>	No		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>			
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>	
Director of Law and Democracy	Yes	Yes	
Strategic Director of Finance and Governance	Yes	Yes	
<b>Cabinet Member</b>	No	No	
Date final report sent to Constitutional Team		15 February 2019	

Southwark Council



**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**I/We** Venue Lab Limited

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description  Unit 1 Canada Water Retail Park Surrey Quays Road			
<b>Post town</b>	London	<b>Postcode</b>	SE16 2XU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£500,000

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *               | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *          |                                     |                             |
| i. as a limited company                         | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/>            | please complete section (B) |



- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a  
 statutory function or ☐  
 a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Venue Lab Limited
Address Acre House 11/15 William Road London NW1 3ER
Registered number (where applicable) 10496774
Description of applicant (for example, partnership, company, unincorporated association etc.)  Private Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD		MM		YYYY			
A	S	A	P				

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)

The premises will operate as a multi function events space and entertainment venue with a maximum capacity of 1,500 people in line with granted planning permission. Flexibility is required to market the premises for different types of events.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- |   |                                     |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input checked="" type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

**Provision of late night refreshment** (if ticking yes, fill in box I) ☒

**Supply of alcohol** (if ticking yes, fill in box J) ☒

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	08:00	01:00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	08:00	01:00			
Wed	08:00	01:00	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur	08:00	01:00			
Fri	08:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)  That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Year's Eve to the start of the hours permitted for licensable activities on New Year's Day.		
Sat	08:00	01:00			
Sun	08:00	00:00			

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	08:00	01:00			
Tue	08:00	01:00			
			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Wed	08:00	01:00			
Thur	08:00	01:00			
			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)  That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Year's Eve to the start of the hours permitted for licensable activities on New Year's Day.		
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	08:00	00:00			

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon	08:00	01:00	
Tue	08:00	01:00	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed	08:00	01:00	
Thur	08:00	01:00	
Fri	08:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)  That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Year's Eve to the start of the hours permitted for licensable activities on New Year's Day.
Sat	08:00	01:00	
Sun	08:00	00:00	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	08:00	01:00			
Tue	08:00	01:00			
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Wed	08:00	01:00			
Thur	08:00	01:00			
			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)  That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Year's Eve to the start of the hours permitted for licensable activities on New Year's Day.		
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	01:00	00:00			

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors <input checked="checked" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	08:00	01:00			
Tue	08:00	01:00			
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Wed	08:00	01:00			
Thur	08:00	01:00			
			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)  That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Year's Eve to the start of the hours permitted for licensable activities on New Year's Day.		
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	08:00	00:00			



**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	08:00	01:00			
Tue	08:00	01:00			
			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Wed	08:00	01:00			
Thur	08:00	01:00			
			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)  That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Year's Eve to the start of the hours permitted for licensable activities on New Year's Day.		
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	08:00	00:00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	08:00	01:00			
Tue	08:00	01:00			
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Wed	08:00	01:00			
Thur	08:00	01:00			
			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)  That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Year's Eve to the start of the hours permitted for licensable activities on New Year's Day.		
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	08:00	00:00			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	08:00	01:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	08:00	01:00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed	08:00	01:00			

Thur	08:00	01:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</u></b>
Fri	08:00	01:00	
Sat	08:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</u></b>
Sun	08:00	00:00	That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Year's Eve to the start of the hours permitted for licensable activities on New Year's Day.

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	23:00	01:00			
Tue	23:00	01:00			
Wed	23:00	01:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur	23:00	01:00			
Fri	23:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	23:00	01:00			
Sun	23:00	00:00	That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Year's Eve to the start of the hours permitted for licensable activities on New Year's Day.		

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)		
Mon	08:00	01:00			
Tue	08:00	01:00			
Wed	08:00	01:00			
Thur	08:00	01:00			
Fri	08:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)  That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Year's Eve to the start of the hours permitted for licensable activities on New Year's Day.		
Sat	08:00	01:00			
Sun	08:00	00:00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name Rebecca Blatter

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**

N/A

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)
Day	Start	Finish	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)  That on New Year's Eve licensable activities shall also be permitted between the end of the hours permitted for opening hours on New Year's Eve to the start of the hours permitted for opening hours on New Year's Day.
Mon	08:00	01:00	
Tue	08:00	01:00	
Wed	08:00	01:00	
Thur	08:00	01:00	
Fri	08:00	01:00	
Sat	08:00	01:00	
Sun	08:00	00:00	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

1. That the maximum number of people permitted at the premises at any one time (not included staff) is 1,500 people (the 'accommodation limit').
2. The Premises licence holder shall risk assess each event and where necessary SIA staff shall use counting devices, or a counting system, to maintain an exact count of the number of people at the premises at any one time, and to ensure that the accommodation limit is never exceeded. The number of people at the premises (not including staff) shall be made known immediately to police, council or fire brigade officers on request."

**b) The prevention of crime and disorder**

3. That a register will be maintained at the main entrance to the premises showing the names, addresses and up to date contact details including mobile phone contact numbers for the DPS and other members of the management team who are on duty.
4. A risk assessment will be undertaken and where deemed necessary by the risk assessment a sufficient number of male and female door supervisors will be employed at the premises in accordance with that risk assessment. Risk assessments will be shared with the police and licensing authority as where necessary.
5. That SIA registered door supervisors shall be employed at a ratio of 1 door supervisor to every 100 customers (or part thereof). At least one female door supervisor shall be employed to assist with screening entrants to the premises.
6. That an egress and dispersal policy shall be devised and be kept / be accessible at the premises at all times that the premises are in operation. The egress and dispersal policy shall be in operation at all times that the premises are in use. All staff employed at the premises shall be trained in the latest iteration of the policy and records of such training (including the printed name of the trainee, signature of the trainee, declaration that the training was received & understood and the date of the training) shall be kept as an annex of the policy. The egress and dispersal policy shall be reviewed, and refresher training in it provided to staff, annually. A record of each annual review and any refresher training shall be kept in an annex of the policy and shall include the details of the person who undertook the review. The policy shall be made immediately available to council and / or police officers on request.
7. That all staff shall be trained in their responsibilities under the Licensing Act 2003 and the terms and conditions of this licence. Records of such training (including the printed name of the trainee, signature of the trainee, declaration that the training was received & understood and the date of the training) shall be kept / be accessible at the premises. Staff shall receive refresher training every 6 months. The training records shall be made immediately available to council and / or police officers on request.
8. That a drugs and alcohol management policy shall be devised and be kept / be accessible at the premises at all times that the premises are in operation. The drugs and alcohol management policy shall be in operation at all times that the premises are in use. All staff employed at the premises shall be trained in the latest iteration of the policy and records of such training (including the printed name of the trainee, signature of the trainee, declaration that the training was received & understood and the date of the training) shall be kept as an annex of the policy. The drugs and alcohol management policy shall be reviewed, and refresher training in it provided to staff, annually. A record of each annual review and any refresher training shall be kept in an annex of the drugs and alcohol management policy and shall include the details of the person who undertook the review. The drugs and alcohol management policy shall be made immediately available to council and / or police officers on request.

9. That a comprehensive incident register will be maintained at the premises. The incident register will record the date, time, location and persons concerned in any incident together with a summary of the incident and an identification of any emergency services personnel who attend.
10. That a taxi pickup point will be designated at the premises.
11. That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card, any Proof of Age Standards Scheme (PASS) accredited card or any identification card validated by the Secretary of State.
12. That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request."
13. That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
14. Promotional literature (both physical and electronic) and tickets will contain information regarding transport options in the locale and shall request that persons leave the area quietly.
15. SIA security staff and/or stewards to be briefed to monitor and remind patrons where necessary to leave the site quietly.
16. That a CCTV system shall be installed at the premises, be maintained in full working order and be continually recording at all times that the premises are in use. The CCTV shall be able to capture a clear facial image of all entrants to the premises, shall cover all public areas of the premises & all entrances / exits at the premises and shall be able to capture clear images in all lighting conditions.
17. That all CCTV footage shall be kept for a period of 31 days and shall be made immediately available to officers of the police and / or the council on request.
18. That there shall be at least one member of staff on duty at all times that the premises are in operation who is trained the operation of the CCTV system and who is capable of retrieving footage and downloading it to a removable data storage device at the immediate request of police and / or council officers.
19. That any external smoking area shall be bounded by secure fencing of at least 6 feet in height (e.g. 'Heras' fencing or similar). At least one SIA registered door supervisor shall be deployed in the smoking area at all times. Only 20 persons at any one time may be permitted into the smoking area. Any person observed to be attempting to procure objects from outside the smoking area into the smoking area shall be ejected from the premises. Signage shall be displayed in the smoking area requesting to the effect that customers behave in a quiet and orderly manner, and if and when required, security staff shall verbally instruct the same. The smoking area must be covered by the CCTV system installed at the premises.

#### c) Public safety

20. That a professional Fire Risk Assessment (FRA) shall be devised and be kept / be accessible at the premises at all times that the premises are in operation. The FRA shall be made immediately available to fire brigade, council and police officers on request. The FRA shall be reviewed annually, or whenever there is any substantive change to the layout or operation of the premises. A record of each annual review of the FRA shall be kept in an annex of the FRA and shall include the details of the person who undertook the review.
21. That a professional Health & Safety Risk Assessment (H&SRA) in respect of all aspects of the operation of the premises shall be devised and be kept / be accessible at the premises at all times that the premises are in operation. The H&SRA shall be made immediately available to fire brigade, council and police officers on request. The H&SRA shall be reviewed annually, or whenever there is any substantive change to the layout or operation of the premises. A record of each annual review of the H&SRA shall be kept in an annex of the H&SRA and shall include the details of the person who undertook the review.
22. That in accordance with the Health and Safety Risk Assessment devised in respect of the premises, first aid equipment and facilities shall be provided at the premises. If the first aid facilities include first aid boxes then the first aid boxes shall be kept in easily accessible locations, be kept free from obstructions at all times and all relevant staff shall be informed of the locations of the first aid boxes.
23. That at least one trained first aider shall be on duty at all times that the premises are in operation, a record of the (primary) first aider on duty at any time shall be kept at the premises and be made immediately available to emergency service and / or council officers on request. All staff shall be aware of who the first aiders on duty are.

**d) The prevention of public nuisance**

24. That a Noise Management Plan (NMP) shall be devised and be kept / be accessible at the premises at all times that the premises are in operation. The NMP shall be adhered to at all times that the premises are in use. All management / supervisory staff and all staff employed at the premises in respect of noise management, sound engineering or anything similar shall be trained in the latest iteration of the NMP and records of such training (including the printed name of the trainee, signature of the trainee, declaration that the training was understood and the date of the training) shall be kept as an annex of the policy. The NMP shall be made immediately available to council and / or police officers on request. The NMP shall be reviewed annually, or whenever there is any substantive change to the layout or operation of the premises. A record of each annual review shall be kept in an annex of the NMP and shall include the details of the person who undertook the review.
25. A noise propagation test shall be undertaken in consultation with representative(s) of the Licensing Authority.
26. Clear and legible signage will be placed in all areas inside and outside the premises visible to members of the public requesting them to respect the neighbours and to leave quietly.
27. In the event of an emergency, security / stewarding staff shall provide verbal instructions to members of the public as to the appropriate routes to be used to vacate the premises. Announcements (either recorded or live) will also be made over the sound system advising to the effect that customers leave by the nearest emergency exit and listen to the instructions of stewarding and security staff.
28. All plant associated with events shall be located as far away from sensitive locations as possible.
29. Patrons of the premises shall be provided details of preferred mini cab companies.
30. The premises licence holder will promote public transport wherever possible.



**e) The protection of children from harm**

31. That persons under 18 years of age shall not be permitted entrance to any events that are to continue past 23:00.
32. That a Child Protection Policy (CPP) shall be devised and be kept / be accessible at the premises at all times that the premises are in operation. The CPP shall be adhered to at all times that the premises are in use. All staff employed at the premises shall be trained in the latest iteration of the CPP and records of such training (including the printed name of the trainee, signature of the trainee, declaration that the training was understood and the date of the training) shall be kept as an annex of the policy. The CPP shall be made immediately available to emergency service and / or council officers on request. The CPP, and all staff training, shall be reviewed annually. A record of each annual review of the CPP and related staff training shall be kept in an annex of the CCP and shall include the details of the person who undertook the review. The CPP shall include provisions for lost children.

**Checklist:****Please tick to indicate agreement**

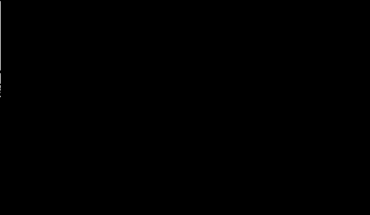
- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- ☐ [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 10)

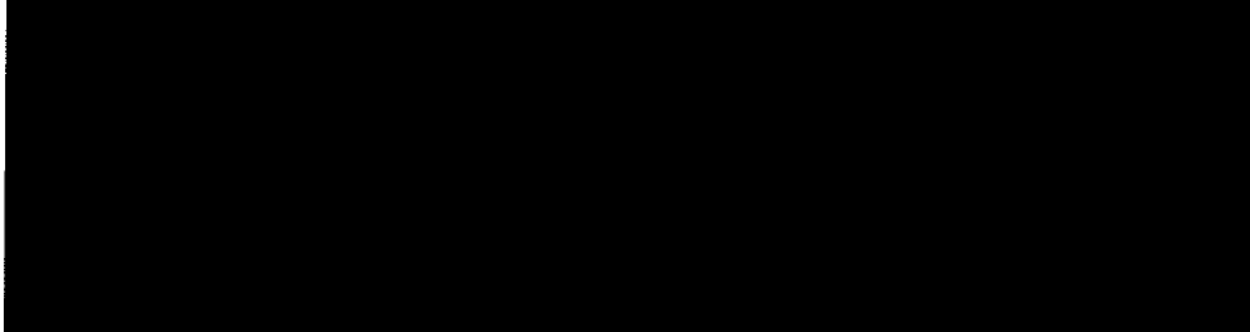
**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.**

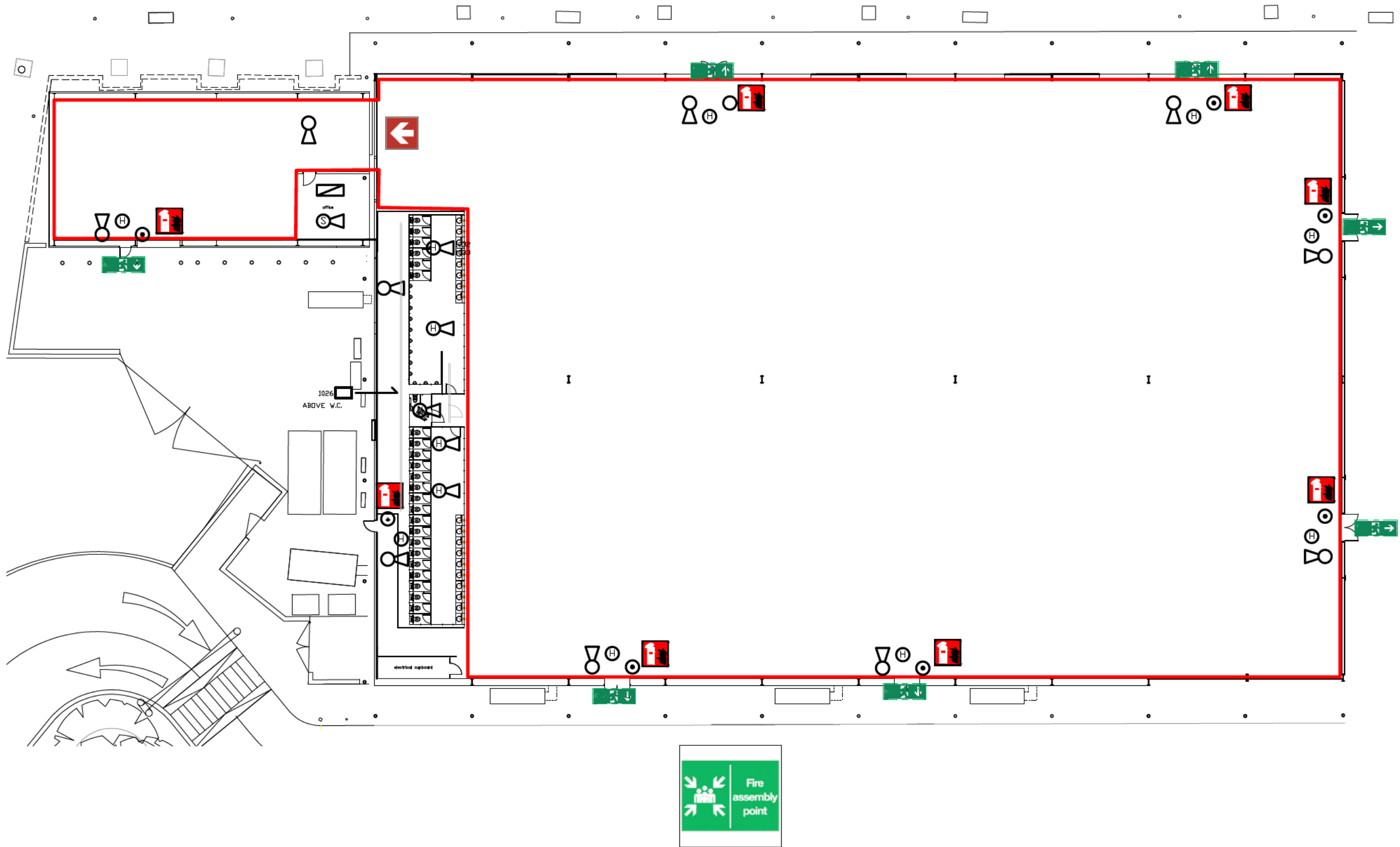
<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15)</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>	
Signature		
Date		
Capacity		Solicitors for the Applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)**





<p>CLIENT:</p> <p>Venue Lab</p> <p>PROJECT:</p> <p>Dock X</p>	<p>FILENAME:</p> <p>Licensing Drawing.dwg</p> <p>DATE:</p> <p>19th December 2018</p> <p>DRAWING:</p> <p>Licensing Drawing</p> <p>SCALE:</p> <p>1:300</p> <p>DRAWN BY:</p> <p>Alex Bingham</p> <p>VERSION:</p> <p>v1.0</p> <p><small>FULCRUM LTD SHALL HAVE NO RESPONSIBILITY FOR ANY USE MADE OF THIS DOCUMENT OTHER THAN FOR THAT WHICH IT WAS PREPARED AND ISSUED. ANY DRAWING OR DOCUMENT CONTAINING ERRORS OR OMISSIONS SHOULD BE BROUGHT TO THE ATTENTION OF FULCRUM LTD AT THE ADDRESS BELOW. ALL MEASUREMENTS MUST BE CHECKED ON SITE. DO NOT SCALE OFF THIS PLAN. © COPYRIGHT REMAINS THE PROPERTY OF FULCRUM LTD. 70 Newcomen Street, London, SE1 1YU</small></p>	<p>NOTES:</p> <div data-bbox="1543 1827 2493 2037"> <p>LEGEND</p> <p>0 5 10 15 20 25m 50m</p> <p>  DENOTES AREA FOR LICENSABLE ACTIVITIES   FINAL FIRE EXIT   DIRECTION TO FIRE EXIT   FIRE MUSTER POINT   FIRE SAFETY EQUIPMENT </p> <p>  FIRE ALARM PANEL   SOUNDER / BEACON   SMOKE / SOUNDER / BEACON   HEAT / SOUNDER / BEACON </p> <p>  HEAT DETECTOR   CALL POINT   INPUT / RELAY </p> </div>	
---	--	--	--

**From:** Earis, Richard  
**Sent:** Monday, January 14, 2019 10:40 AM  
**To:** Regen, Licensing  
**Cc:**  
**Subject:** Venue Lab Unit 1 Canada Water Retail Park - Objection to new License application

**RE: New License application - Venue Lab Limited UNIT 1 CANADA WATER RETAIL Surrey Quays Road SE16 2XU ID: 57087**

I have considered the above application and would like to object under the Prevention of Public Nuisance Licensing Objective.

The reasons for the objection are as follows:

- The proposed operating hours of the premises exceed the Licensing Policy hours for 'other drinking establishments' for this location
- The location is sensitive, directly adjacent to residential occupiers and will involve dispersal of up to 1500 people which risks causing nuisance to local residents at the hours proposed. Only very limited information is provided in the application as to how this would be managed or controlled.
- The premises will provide a significant cumulative impact on existing large venues (e.g. the Printworks and Hawker House) which can already disperse 6500 people in this immediate area between them and which already result in complaints from local residents to the Council regarding noise
- A noise management plan is mentioned but not provided
- 'Noise propagation tests' are mentioned but not provided in advance of the application to demonstrate that the building\location is acceptable for all licensed uses for 1500 people. Unlike the Printworks this building does not have substantial acoustic insulation and is much closer to residential dwellings
- The premises does not yet have planning permission to operate in this location and we are likely to object to such operating hours through the planning process. The applicant has been given pre-application advice which highlights hours of use may be limited
- Submitted plans do not show the location of the smoking area

I would request that the applicant provides a dispersal policy and noise management plan and plans showing where smokers or any external activities will take place. I reserve the right to make further comments or suggest conditions or amendments to the application once these documents are provided.

Kind Regards,

Richard

**Richard Earis**  
Principal Environmental Protection Officer  
**Environmental Protection Team**



### The Licensing Unit

Floor 3  
160 Tooley Street  
London  
SE1 2QH

### Metropolitan Police Service

**Licensing Office**  
Southwark Police Station,  
323 Borough High Street,  
LONDON,  
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

**Our reference:** MD21/0011/19

**Date:** 17th January 2019

Dear Sir/Madam

### **Re:- Venue Lab Limited Unit 1 Canada Water Retail Park SE16 2XU**

Police are in possession of an application from the above for a new premises licence. The application describes the premises as a multi-function events space and entertainment venue. There is no specific category for this type of premises under the Southwark statement of licensing policy, however the operating schedule would allow for the premises to be used a night club type venue and for other music led events with dancing.

Although outside of any CIZ the premises is in very close proximity of another multi events space that has a maximum capacity of 5000 for music led events. My initial concern would be the that if both premises were to operate at the same time we could expect up to 6500 patrons coming into was is described as a major town centre and in close proximity to residential premises.

I would like to propose a possible condition on the premises licence which restricts the number of events per year and that the events are not run alongside those at a neighbouring premises known as the printworks.

Although the applicant has provided conditions around the dispersal policy, they have not provided a copy of this policy for me to comment on. Due to the size and nature of this venue such policies are fundamental for the promotion of the licensing objectives.

I am unable to comment fully without these policies, it is for this reason that I Object to the granting of this license until I am satisfied the policy is sufficient to promote the prevention of crime and public nuisance licensing objectives.

I welcome the opportunity to engage with the applicant prior to any potential licensing hearing.

Yours Sincerely

**PC Ian Clements 362MD**

Licensing Officer  
Southwark Police Licensing Unit  
Tel: 0207 232 6756

# MEMO: Licensing Unit

---

<b>To</b>	Licensing Unit	<b>Date</b>	18 January 2019	
<b>Copies</b>				
<b>From</b>	Jayne Tear	<b>Telephone</b>	020 7525 0396	<b>Fax</b>
<b>Email</b>	jayne.tear@southwark.gov.uk			

---

**Subject** Re: Unit 1 Canada Water Retail Park, Surrey Quays Road, SE16 2XU  
Application for a premises licence

I write with regards to the above application for a premises licence submitted by Venue Lab Limited under the Licensing Act 2003, which seeks the following licensable activities:

- Plays; films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performance of dance and anything of a similar description to live music, recorded music and performance of dance on Monday to Saturday from 08:00 to 01:00 the following day and on Sunday from 08:00 to 00:00
- Late night refreshment on Monday to Saturday from 23:00 to 01:00 the following day and on Sunday from 23:00 to 00:00
- Supply of alcohol (on and off the premises) on Monday to Saturday from 08:00 to 01:00 the following day and on Sunday from 08:00 to 00:00
- Overall opening times shall be on Monday to Saturday from 08:00 to 01:00 the following day and on Sunday from 08:00 to 00:00

## Non Standard Timings requested

- That on New Years Eve licensable activities shall also be permitted between the end of the hours permitted for licensable activities on New Years Eve to the start of the hours permitted for licensable activities on New Years Day
- That on New Years Eve licensable activities shall also be permitted between the end of the hours permitted for opening on New Years Eve to the start of the hours permitted for opening hours on New Years Day

The premises is described as '*The premises will operate as a multi functional event space and entertainment venue with a maximum capacity of 1,500 people in line with granted planning permission. Flexibility is required to market the premises for different types of events*'.

The premises is situated within Canada Water Major Town Centre Area.

My representation is based on the Southwark Statement of Licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance.

The appropriate closing times for different types of premises within the licensing policy are as follows:

Closing time for Restaurants and Cafes - Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours

Closing time for Public Houses Wine bars or other drinking establishments - Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours

Closing time for Hotel bars and guest houses - No restrictions for residents

Closing time for Night Clubs (with sui generis planning classification) - Monday to Thursday is 01:00 hours and for Friday and Saturday 03:00 hours and for Sunday 00:00 hours

Closing time for Off-Licences and alcohol sales in grocers and supermarkets is 00:00 hours daily

Closing time for Take-away establishment - Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours

Closing time for Cinemas and Theatres is 02:00 hours daily

Closing time for Vessels is 23:00 hours daily

Closing time for qualifying members club is 02:00 hours daily

The application has not left any time between the last sale of alcohol 'on sales' and the closing time when patrons should have left the premises this can lead to conflict between staff and the customer having purchased an alcoholic drink for consumption on the premises minutes before closing time and being asked to either finish the drink or hand it back and to leave the premises. Additionally this will encourage patrons to rush consumption of alcoholic drinks at the same time of closing which can lead to antisocial behaviour problems when patron have left the premises. Therefore to promote the licensing objectives I ask the applicant to consider reducing the **sales of alcohol to cease at least a half an hour/ to an hour before the closing time.**

I have further concerns that the local resident's will could be disturbed from 1,500 patrons leaving this premises late at night and although a dispersal policy is mentioned within the operating schedule it has not been provided. I therefore ask the applicant to

- Provide a copy of the dispersal policy.

This application also asks for off sales of alcohol yet the application does not address how the possibility of 1,500 patrons leaving the premises with off sales, which could be consumed in the street on their way home, could impact upon the prevention of public nuisance and crime and disorder.

I would therefore recommend that the applicant remove off sales of alcohol from the application to promote the licensing objectives.

I therefore submit this representation and welcome any discussion with the applicant and reserve the right to comment further once all of the information had been provided

Jayne Tear  
Principal Licensing officer  
In the capacity of the Licensing Responsible Authority

**From:** [REDACTED]  
**Sent:** Friday, February 8, 2019 15:01  
**To:** 'McArthur, Wesley' <[Wesley.McArthur@southwark.gov.uk](mailto:Wesley.McArthur@southwark.gov.uk)>; Earis, Richard <[Richard.Earis@southwark.gov.uk](mailto:Richard.Earis@southwark.gov.uk)>; Simon Tracey [REDACTED] <[Keith.Dempster@met.pnn.police.uk](mailto:Keith.Dempster@met.pnn.police.uk)>; 'Keith.Dempster@met.pnn.police.uk' <[Keith.Dempster@met.pnn.police.uk](mailto:Keith.Dempster@met.pnn.police.uk)>; [REDACTED]; Tear, Jayne <[Jayne.Tear@SOUTHWARK.GOV.UK](mailto:Jayne.Tear@SOUTHWARK.GOV.UK)>; Earis, Richard <[Richard.Earis@southwark.gov.uk](mailto:Richard.Earis@southwark.gov.uk)>; Maria.V.O'Mahoney@met.pnn.police.uk  
**Subject:** RE: Application for a premises licence - Venue Lab Ltd, Unit 1, Canada Water Retail Park, Surrey Quays Road, SE16 2XU (our ref: L1U 866359)

Dear All,

Thank you for setting up the meeting and also to Wes for these minutes. We thought it was very useful in understanding the localised concerns and we hope we gave you assurances as to how the premises will operate, the type of events, lack of intention to compete with the Printworks and most importantly our ability to promote the licensing objectives.

As discussed in the meeting we can confirm that we would like to amend the application in the following terms to meet those concerns raised by the statutory authorities.

1. Pull sale of alcohol back by 30 minutes for each night of the week keeping the hours for licensable activities and closure of the premises the same as they currently are.

This gives the buffer that was wanted in relation to a cooling down period.

2. Offer the following conditions:

The premises licence holder will not operate any DJ or live music led events. All bookings will have a food component (either seated waitress service or buffet). A DJ or live band will be used as ancillary entertainment at some of these events, but not all.

The premises licence holder will employ specialist noise consultants who will assess all live music in the venue. Acoustic readings will be taken throughout these events and made available for request to Council and Police Officers.

No customer will be permitted to leave the premises with alcohol except for promotional events, when sealed bottles of alcohol may be part of a gift for people attending the event and customers will be allowed to leave with those sealed containers.

3. I now have the dispersal policy and I have attached this.

If there are any other issues that you would want me to cover off then please come back to me as if we could reach agreement to avoid a hearing it saves everyone's time.

We are more than happy for the resident representor to receive the operating schedule and the offered additional conditions.

[REDACTED]  
[REDACTED]



**From:** Earis, Richard

**Sent:** Tuesday, February 12, 2019 12:08 PM

**To:** 'Paddy Whur'; McArthur, Wesley; Simon Tracey; 'Keith.Dempster@met.pnn.police.uk';  
[REDACTED]; Tear, Jayne; Maria.V.O'Mahoney@met.pnn.police.uk

**Subject:** RE: Application for a premises licence - Venue Lab Ltd, Unit 1, Canada Water Retail Park, Surrey Quays Road, SE16 2XU (our ref: L1U 866359)

Dear Paddy,

Thank you for your email. This goes some way towards resolving my concerns however some of what we discussed has been partially covered or not covered at all.

Specifically:

1. The condition regarding an acoustic consultant needs to apply to live music and recorded music where a DJ is present. I accept it is not necessary for background music \ sound effects but at the moment it would exclude, for example, an ancillary DJ\dance to a corporate event which has a very similar risk of causing nuisance as live music. Would the following wording be acceptable to you? If not I welcome your suggestion as to how to adequately cover this point.

*The premises licence holder will employ specialist noise consultants who will assess:*

- *All live music in the venue*
- *All featured ancillary recorded music which is not merely background music or sound effects (for example a DJ playing to a dancefloor)*

*Acoustic readings will be taken throughout these events and these readings shall be made immediately available on request to Council and Police Officers*

2. You have not offered reduced hours for the period Sundays to Wednesdays as discussed. This is key for me as it reduces the number of possible late openings significantly. Sunday to Wednesday should be amended to cease supply of alcohol at 23:00 and allow a 30 mins drinking up time with a 23:30 close. This still allows use for many types of events on those days but balances residents' interests by reducing late opening beyond policy hours for other drinking establishments.

3. I would also wish to see the following conditions to provide sufficient clarity and enforceability:

- *All external doors to the premises shall be kept closed at all times when events are taking place, except to allow access to and egress from the venue*
- *Premises management shall regularly monitor outside the premises to ensure that the volume and bass level of any music or licensed entertainment is kept at a level that does not cause nuisance at the closest or most exposed noise-sensitive facade*
- *A maximum of 20 persons at any one time shall be allowed to use the external smoking area and this area shall be observed and controlled by a staff member at all times*
- *No drinks shall be allowed into the external smoking area at any time*
- *Premises management shall regularly monitor outside the premises and take all necessary steps to ensure that noise from patrons does not cause disturbance or public nuisance*

- *Amplified music, song or speech shall not be broadcast in external areas at any time*
- *External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs*

Kind Regards,

Richard

**Richard Earis**

Principal Environmental Protection Officer

**Environmental Protection Team**

**020 7525 2469**

Postal address: Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | PO Box 64529 | London | SE1P 5LX.

Office address (By appointment only): Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

[www.southwark.gov.uk](http://www.southwark.gov.uk)

visit: <http://www.southwark.gov.uk/air-quality>

**From:** [REDACTED]  
**Sent:** Wednesday, February 13, 2019 2:26 PM  
**To:** Earis, Richard  
**Cc:** Paddy Whur  
**Subject:** RE: Application for a premises licence - Venue Lab Ltd, Unit 1, Canada Water Retail Park, Surrey Quays Road, SE16 2XU (our ref: L1U 866359)

**Sent on behalf of Paddy Whur**

Dear Richard,

Thank you very much for your email of 12th February 2019 in relation to our offer to amend our application.

I have now had an opportunity to discuss all of this with Simon. We are very keen to meet the concerns that you expressed at our meeting. If it would help then Simon is more than happy to meet you again to clear up any issues over frequency/type of events.

In relation to your specific points:

1. We understand what you wish to achieve here, however there needs to be an element of avoidance of duplication from our perspective and would ask you to consider the following re-worded condition:

“The premises licence holder will employ where appropriate, specialist external noise consultants and/or internal staff who will assess:

- All live music in the venue
- For all featured ancillary recorded music which is not merely background music or sound effects (for example a DJ playing to a dancefloor) acoustic settings will be made for these events, and where risk assessed, acoustic readings will be taken during the events with readings made immediately available on request to Council and police officers.”

We envisage that a system will be put in a place to set ancillary music levels for events and these limits will then be adhered to. It would be prohibitively expensive to employ external noise consultants for each of these events and therefore disproportionate in Licensing Act terms. We are more than happy to include your input into the setting of these systems of events were the music offer is part of, but not the primary reason for people to attend.

2. Our client wishes to have the flexibility to market the premises for corporate events through the week, where the demand arises. Could we retain the hours but cap the number of events at a maximum of 40 events to take place on Sunday to Tuesday each year? As Simon explained the corporate events market is strong on a Wednesday and Thursday night.
3. The additional conditions are agreed.

Our clients are keen to meet your concerns with conditions which would be appropriate and proportionate to promote the licensing objectives.

I look forward to hearing from you.

**Party 1****From:** [REDACTED]**Sent:** Saturday, January 05, 2019 6:35 AM**To:** Regen, Licensing**Subject:** RE: Objection to Licensing Application. Private & Confidential

Dear Licensing Officer,

Please find below an objection to the notice of application for the grant of a premises license under Section 17 of the Licensing Act 2013.

We understand that Venue Lab Limited has applied for the grant of a Premises Licence for: Unit 1, Canada Water Retail Park, Surrey Quays Road, London SE16 2XU.

In principal and broadly speaking, activities that promote the culture and the arts are generally welcome. However, the reason for the objection is as follows:

- The request for the late night refreshment Monday to Saturday 23:00 to 01:00 and the following morning Sunday 23:00 to 00:00 feels excessive because this part of Canada Water/Surrey Quays unlike other parts is mainly residential and therefore, this needs to be taken reasonably into consideration and the request declined. It is my opinion that the activity should be restricted to 23:00 pm Monday to Sunday.
- Furthermore, the request to keep the premises open Monday to Saturday 08:00 to 01:00 and Sunday 08:00 to 00:00 seems unreasonable given the location is near residential blocs and therefore, in the spirit of fairness all activities should be restricted to 23:00 pm at the very latest to avoid noise pollution and disturbance from patrons leaving the premises.

In the spirit of fairness, we have lived locally for a long time and therefore wish for our tenant rights to be respected. We should be able to enjoy respite and quiet enjoyment within our homes as many of us work or have personal commitments. Furthermore, there are many tenants who are suffering ailments and illnesses and require quiet enjoyment therefore any activity following 23:00 pm is in breach of residential leases and can potentially impact the health and well-being of tenants adversely.

The four points that we wish to escalate are as follows:

- prevention of crime and disorder: we wish to avoid people loitering from any late night activity around our neighbourhood specifically around the communal gardens, Surrey Quays Road and Deal Porter's Square because this could lead to loud noise and affect the sleep patterns of the tenants. And of course along the Waterfront and the footbridges by the CW Basin.
- public safety: we wish to avoid people drinking and carrying on following the event as this type of behaviour is unwelcome and creates a sense of unease for local residents. Unfortunately, we have seen an uplift in 'airbnb activity' given our location near the tube station and feel concern that any further entertainment activity could potentially cause harm to us as local tenants further by way of increasing this type of unwanted activity. We understand that there are some 'massage parlours' in and around the tube station advertised; it is our reasonable and fair contention that we wish to avoid any further establishments of this nature operating in our nearby vicinity and therefore we wish to ensure that restrictions to late night activity are upheld to protect the local tenants who seek respite in their home-life.

- prevention of public nuisance: we are concerned that some patrons may cause issues upon leaving this venue; given our close proximity we wish to avoid the noise pollution that could potentially arise when we are seeking quiet enjoyment in our homes from rowdy patrons, any bottles potentially leaving venues or people discarding bottles near our buildings and other anti-social behaviour around our buildings.
- protection of children from harm: if there is a venue with alcohol, we wish to ensure that the local residents and their children do not feel impacted from the loud noise and potential rowdy behaviour from people leaving this venue that could result because said children and parents require sleep - this is fundamental health benefit and children need to feel safe in their beds at night to be able to function during the day. We are also concerned by some people vomiting around our buildings and the potential appearance and specifically, who is going to be responsible for cleaning this away?

Questions:

- Will the applicant be hiring a private security firm? How many staff? What is the remit and responsibilities?
- Will the applicant be looking to keep the areas outside of Unit 1 clean following activities and events? If so, how?
- If any residual issues arise from the events onto our neighbouring site in any way to what extent will the applicant be open to remedying the associated costs e.g if there are broken bottles etc, cleaning up vomit, removing at their cost the sully or damage to our buildings caused by some people who relieve themselves?
- Will there be toilet facilities and if so, where? The reason for the question is because we have witnessed unusual activity of some people peeing on our buildings following other local events and wish to avoid this happening, further?
- How will the patrons that are leaving these events be navigated back to the transport e.g. tube, bus, cab? How will the noise pollution be controlled?

We wish for the applicant to be respectful and mindful of the community and to ensure that they are able to reply to the above questions in a reasonable and timely manner.

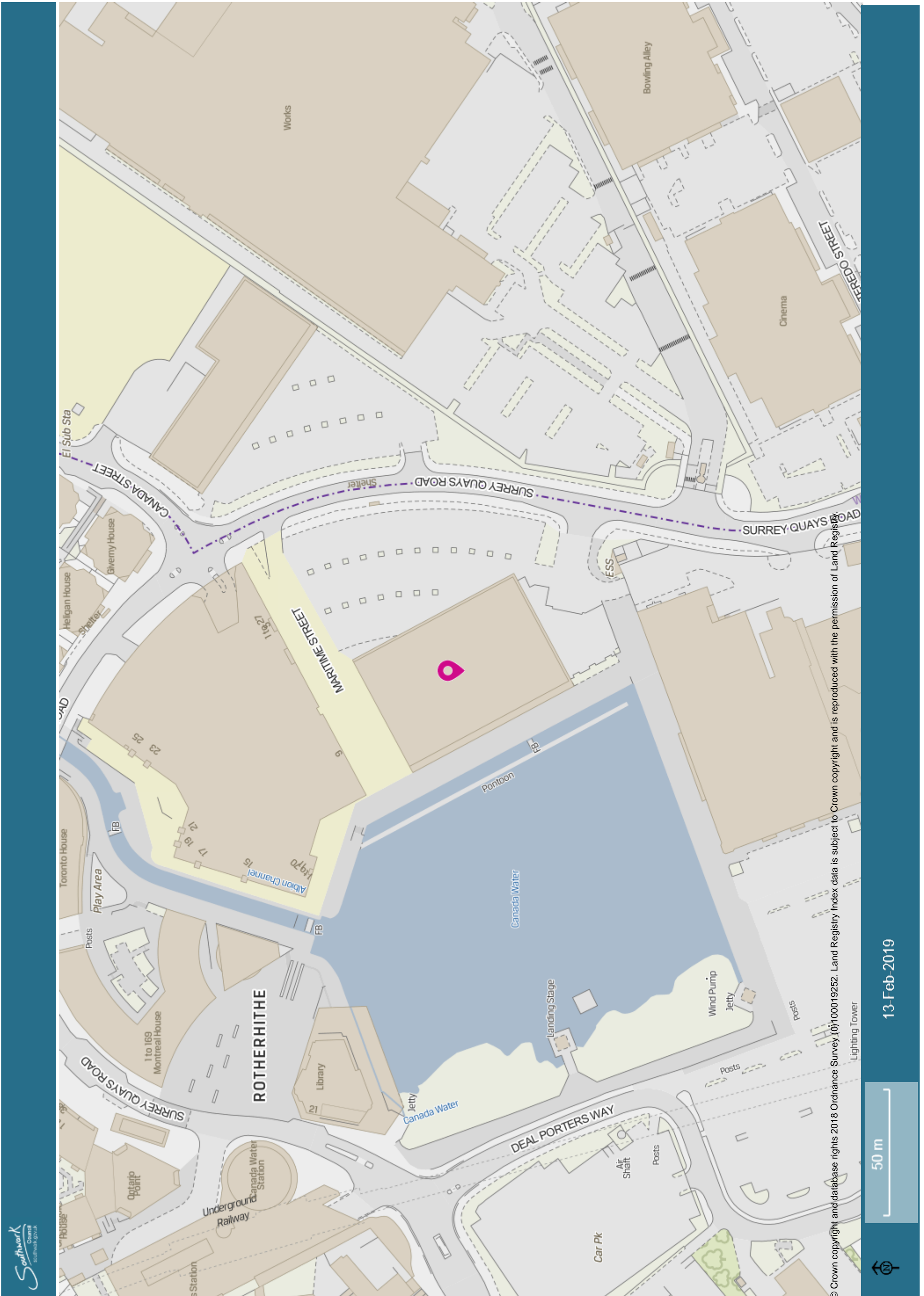
We look forward to your prompt reply and trust that it will be taken in good faith.

Regards,

[Redacted Signature]

on behalf: [Redacted Name]

Disclaimer: Please do not circulate to any third party without the expressed written permission of the sender.



<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 1 March 2019	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report title:</b>		Licensing Act 2003: Chandni Restaurant, 134a Thurlow Park Road, London SE21 8HN	
<b>Ward(s) or groups affected:</b>		Dulwich Wood	
<b>From:</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Chandni Restaurant Limited to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Chandni Restaurant, 134a Thurlow Park Road, London SE21 8HN.
2. Notes:
  - The application seeks to vary the premises licence held under current legislation in respect of the premises known as Chandni Restaurant, 134a Thurlow Park Road, London SE21 8HN under section 34 of the Licensing Act 2003. Existing permitted licensable activities are not under consideration at this meeting.
  - Paragraph 7 of this report provides a summary of the existing premises licence. A copy of the existing premises licence is attached at Appendix A.
  - Paragraphs 8 to 10 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix B. A map showing the location of the premises is attached as Appendix E.
  - Paragraphs 12 to 23 of this report deal with the representations submitted in respect of the application by the responsible authorities and local resident and are attached in Appendices C and D.

## BACKGROUND INFORMATION

3. The Licensing Act 2003 provides a licensing regime for:
  - The sale of and supply of alcohol
  - The provision of regulated entertainment
  - The provision of late night refreshment.
4. Within Southwark the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
  - The prevention of crime and disorder
  - The promotion of public safety

- The prevention of nuisance
  - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to
- The Act itself
  - The guidance to the act issued under Section 182 of the Act
  - Secondary regulations issued under the Act
  - The licensing authority's own statement of licensing policy
  - The application, including the operating schedule submitted as part of the application
  - Relevant representations.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives

## **KEY ISSUES FOR CONSIDERATION**

### **The current premises licence**

8. The current premises licence was issued on 7 September 2006 to Chandni Restaurant Limited which traded as Chandni Restaurant, 134a Thurlow Park Road, London SE21 8HN. The licence permits the following:
- The sale of alcohol to be consumed on the premises:
    - Monday to Sunday: 12:00 to 00:00
  - The provision of late night refreshment (indoors):
    - Monday to Sunday: 23:00 to 00:00
  - Opening hours:
    - Monday to Sunday: 12:00 to 00:00.
  - A copy of the existing premises licence is attached as Appendix A.

### **The variation application**

9. On the 13 December 2018 Chandni Restaurant Limited applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence issued in respect of the premises trading as Chandni Restaurant, 134a Thurlow Park Road, London, SE21 8HN.
10. This application is dated 13 December 2018 but received at the Licensing Authority on 10 January 2019.



11. The application for variation is described as:

- Extension of permitted hours in respect of the sale of alcohol, late night refreshment (Indoors) and opening times.

12. The application seeks to vary the following hours on the current premises licence:

- The sale by retail of alcohol (Indoors):
  - Friday and Saturday: 12:00 to 02:30
- The provision of late night refreshment (indoors):
  - Friday and Saturday: 23:00 to 02:30
- Opening hours:
  - Friday and Saturday: 12:00 to 02:30.
- A copy of the application is attached to this report as Appendix B.

### **Designated Premises Supervisor**

13. The designated premises supervisor (DPS) under the existing premises licence is Mohammad Nizamul Hoque holding a personal licence with the London Borough of Lambeth.

### **Representations from responsible authorities**

14. The Metropolitan Police (licensing division) have made a representation. They state that the premises are situated in a residential area. The current operating hours are Monday to Friday 12:00 to 00.00 which is generous as the Southwark council licensing policy states the terminal hours should be 23:00 for a restaurant in a residential area.
15. The Metropolitan Police Service state policy hours are in place to assist in the complying with the licensing objectives and although the applicant has offered some additional conditions I cannot see any reason to deviate from the policy and with this in mind we object to the granting of this licence.
16. This council's public health department have made representation against the application. Public health state that this premises is located close to a populated residential area. The increased noise from more individuals consuming alcohol after 23:00 in the local area could have an impact on the sleep of residents living around this premises.
17. Additionally public health state that the applicant already benefits from generous hours, which exceed the recommended times set out in Southwark's statement of licensing policy for restaurants. Public health recommend that the application is refused.
18. Licensing as a responsible authority object to the application. Their representation is based on the Southwark statement of licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance. They advise that this premise is situated within a residential area

and under the Southwark statement of licensing policy 2016 - 2020 the appropriate closing times for restaurants; cafes, public houses, wine bars or other drinking establishments on Monday to Sunday is 23:00 and this application seeks hours in excess of that which is deemed appropriate for a residential area.

19. Licensing as a responsible authority also raised concerns that in the application there was no time left between the last sale of alcohol 'on sales' and the closing time when patrons should be leaving the premises. They advise that this can lead to conflict between staff and customers who have purchased an alcoholic drink for consumption on the premises minutes before closing time and being asked to either finish the drink or hand it back and to leave the premises. Additionally this will encourage patrons to rush consumption of alcoholic drinks at the same time of closing which can lead to antisocial behaviour problems when patron have left the premises.
20. Licensing as a responsible authority state should the licensing sub committee be of a mind to grant the variation hours outside of the hours deemed appropriate within the policy they would recommend the following:
  - That the sales of alcohol cease at least half an hour before the closing time (To be conditioned).
  - That an accommodation limit for the premises be set. (To be conditioned)
  - That a written dispersal policy for the premises be provided. (To be conditioned)
  - That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal and by consumption of such persons as an ancillary to their meal. (To be conditioned)

#### **Representations from other persons**

21. A representation was received from the Dulwich Society.
22. The Dulwich Society representation states that they believe that an extension of opening hours until 02.30 on Fridays and Saturdays by a licensed restaurant which plays music and has a busy take-away trade, is likely to result in increasing (rather than preventing) both nuisance and crime and disorder in what is a largely residential area.
23. The Dulwich Society representations also states that the extension sought to opening hours might be appropriate for a bar or night club served by good public transport in a part of Southwark with an already busy night time economy (as per recommended closing times for such establishments in Southwark's statement of licensing policy) but is not appropriate for this location.
24. Additionally, the Dulwich Society representation states that If this application is granted, it could be the thin end of the wedge, with other similar establishments using it as a precedent for seeking similar extensions.

## **Conciliation**

25. All representations were sent to the Applicant on 8 February 2019, with contact details for the Responsible Authorities. At the point of the report going to publication, no representations have been withdrawn following conciliation discussion.

## **Operating history**

26. The current premises licence was issued on 7 September 2006. The premises licence has remained unchanged in that time with Mohammad Nizamul Hoque still detailed on the licence as the Designated Premises Supervisor.
27. Since the current premises licence was granted no temporary event notices (TENs) have been applied for this premises.
28. There is no history of complaints regarding the premises, since this current licence was issued.

## **Map**

29. A map of the area is attached to this report as Appendix E. There are no other licensed premises located in the immediate vicinity:

## **Southwark council statement of licensing policy**

30. Council assembly approved Southwark's statement of licensing policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
  - Section 3 – Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications
  - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
  - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy
  - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
  - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
  - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.

- Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
  - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
31. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
32. This premises is outside of a cumulative impact policy area and within a residential area. Under the Southwark Statement of Licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for this categories of premises indicated:
- Restaurants and cafes: 23:00 daily
  - Public houses, wine bars or other drinking establishments: 23:00
  - Night clubs (with sui generis planning classification) are not considered appropriate for this area.

### **Resource implications**

33. A fee of £190.00 being the statutory fee payable for premises within non-domestic rateable value band A has been paid by the applicant company in respect of this application.

### **Consultations**

34. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and a similar notice exhibited outside of the premises for a period of 28 consecutive days.

### **Community impact statement**

35. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

36. The sub-committee is asked to determine the application to vary the premises licence under Section 34 of the Licensing Act 2003.
37. The principles which sub-committee members must apply are set out below.

### **Principles for making the determination**

38. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.

39. The general principle is that applications for variation must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
40. Relevant representations are those which:
  - Are about the likely effect of the granting of the application on the promotion of the licensing objectives
  - Are made by an other party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
41. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
  - Add to, omit, and/or alter the conditions of the licence, or
  - Reject the whole or part of the application for variation.

### **Conditions**

42. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the variation, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
43. The four licensing objectives are
  - The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
44. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
45. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to late night refreshment and take away aspect of the licence must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
46. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2003 introduced three new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap water. In October 2010 an additional two conditions came into force – age verification policy and smaller measures for alcoholic drinks.
47. Members are also referred to the Home Office guidance on conditions.

## **Reasons**

48. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for to vary the premises licence, it must give reasons for its decision.

## **Hearing procedures**

49. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations
  - Members of the authority are free to ask any question of any party or other person appearing at the hearing
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
    - Address the authority
    - If given permission by the committee, question any other party.
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
  - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives
  - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private
  - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
50. This matter relates to the determination of an application to vary a premises licence under section 34 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

## **The council's multiple roles and the role of the licensing sub-committee**

51. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
52. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of

the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.

53. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
54. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
55. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The Code applies to Members when considering licensing applications. In addition, as a quasi-judicial body, Members are required to avoid both actual bias, and the appearance of bias.
56. Under the Human Rights Act 1998 the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the Borough.
57. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

### **Guidance**

58. Members are required to have regard to the Home Office guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

### **Strategic Director of Finance and Governance**

59. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

**BACKGROUND DOCUMENTS**

Background Papers	Held At	Contact
Licensing Act 2003 Home Office Guidance to the Act Secondary Regulations Southwark statement of licensing policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Mrs Kirty Read Tel: 020 7525 5748

**APPENDICES**

Name	Title
Appendix A	Copy of the existing premises licence
Appendix B	Copy of the application
Appendix C	Copy of representations from Responsible Authorities
Appendix D	Representations from other person (Dulwich Society)
Appendix E	Map of the local area

**AUDIT TRAIL**

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Leisure		
<b>Report Author</b>	Richard Kalu, Principal Licensing Officer		
<b>Version</b>	Final		
<b>Dated</b>	14 February 2019		
<b>Key Decision?</b>	No		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>			
<b>Officer Title</b>		<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy		Yes	Yes
Strategic Director of Finance and Governance		Yes	Yes
<b>Cabinet Member</b>		No	No
<b>Date final report sent to Constitutional Team</b>			15 February 2019



Appendix A

# Licensing Act 2003

## Premises Licence

Environmental Health & Trading Standards  
Licensing Unit  
Chaplin Centre  
Thurlow Street  
London SE17 2DG

Premises licence number

10208

### Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Chandni Restaurant 134a Thurlow Park Road London SE21 8HN	
Ordnance survey map reference (if applicable), 173059 532726	
<b>Post town</b> London	<b>Post code</b> SE21 8HN
<b>Telephone number</b> 0208 761 9738	

**Where the licence is time limited the dates**

**Licensable activities authorised by the licence**

LR Late Night Refreshment  
RA Sale by retail of alcohol to be consumed on premises

**The opening hours of the premises**

For any non standard timings see Annex 2

Monday	12:00 00:00
Tuesday	12:00 00:00
Wednesday	12:00 00:00
Thursday	12:00 00:00
Friday	12:00 00:00
Saturday	12:00 00:00
Sunday	12:00 00:00

**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies**  
ON SUPPLIES

**The times the licence authorises the carrying out of licensable activities**

For any non standard timings see Annex 2

Late Night Refreshment	Monday	23:00	00:00
------------------------	--------	-------	-------

Late Night Refreshment	Tuesday	23:00	00:00
Late Night Refreshment	Wednesday	23:00	00:00
Late Night Refreshment	Thursday	23:00	00:00
Late Night Refreshment	Friday	23:00	00:00
Late Night Refreshment	Saturday	23:00	00:00
Late Night Refreshment	Sunday	23:00	00:00
Sale by retail of alcohol to be consumed on premises	Monday	12:00	00:00
Sale by retail of alcohol to be consumed on premises	Tuesday	12:00	00:00
Sale by retail of alcohol to be consumed on premises	Wednesday	12:00	00:00
Sale by retail of alcohol to be consumed on premises	Thursday	12:00	00:00
Sale by retail of alcohol to be consumed on premises	Friday	12:00	00:00
Sale by retail of alcohol to be consumed on premises	Saturday	12:00	00:00
Sale by retail of alcohol to be consumed on premises	Sunday	12:00	00:00

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**



**Registered number of holder, for example company number, charity number (where applicable)**



**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

MOHAMMAD NIZAMUL HOQUE



**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence No. [REDACTED]

Authority code [REDACTED]

Licence Issue date 7 September 2006

.....  
 Environmental Health and  
 Trading Standards Manager  
 Chaplin Centre  
 Thurlow Street  
 London SE17 2DG  
 020 7525 5748  
[licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

**Annex 1 - Mandatory conditions**

**1000** No supply of alcohol may be made under the Premises Licence -

- a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended

**1001** Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence

**Annex 2 - Conditions consistent with the operating Schedule**

**6014** Plastic or toughened glass shall be used for the service of drinks

**9001** That all appropriate staff shall be trained in the age identification scheme required at the premises and records of training shall be kept and made available for inspection by authorised officers of the Council

**9101** That an age identification scheme shall be established and maintained. The scheme shall Require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol

**9501** A size capacity limit for the premises will be set

**9502** Crime prevention notices will be displayed

**9503** Patrons will be prevented from removing open alcohol containers from the premises

**9504** An adequate refuse storage and disposal system shall be maintained

**Annex 3 - Conditions attached after a hearing by the licensing authority**

**Annex 4 - Plans - Attached**

Licence No.	10208
Plan No.	No number given
Plan Date	Aug 2003

Appendix B

Application to vary a premises licence under the Licensing Act 2003

RECEIVED

20 JAN 2019

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

/We CHANDNI RESTAURANT  
(insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	10208
-------------------------	-------

## Part 1 -- Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description	
134 <sup>A</sup> THURLOW PARK ROAD	
Post town	LONDON
Postcode	SE21 8TN

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ [REDACTED]

## Part 2 -- Applicant details

Daytime contact telephone number	[REDACTED]
E-mail address (optional)	[REDACTED]
Current postal address if different from premises address	[REDACTED]
Post town	[REDACTED]
Postcode	[REDACTED]

## Part 3 - Variation



Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐  
No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

<sup>2)</sup> WE WOULD LIKE TO EXTEND THE HOURS FOR SALE OF LATE NIGHT REFRESHMENTS AND ALCOHOL TO BE CONSUMED ON THE PREMISES TO 23.00 PM - 02.30 AM.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

☐

☐

☐

☐

☐

☒

☐

☐

**Provision of late night refreshment** (if ticking yes, fill in box I)

☒

**Supply of alcohol** (if ticking yes, fill in box J)

☒

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)			
Mon						
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 6)			
Thur						
Fri						
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)			
Sun						

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here (please read guidance note 5)</u>		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<u>Nonstandard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music (please read guidance note 6)</u>		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sun					

F.

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	12.00	00.00	Please give further details here (please read guidance note 5) <b>RECORDED MUSIC WILL BE PLAYED FROM A LAPTOP WHILST CUSTOMERS ARE DINING AND DRINKING.</b>		
Tue	12.00	00.00			
Wed	12.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 6) <b>ON NEW YEAR EVE AN EXTENSION TO OPENING HOURS WILL BE NEEDED IF IT DOESN'T FALL ON A FRIDAY OR SATURDAY - AN EXTENSION TO 03.00AM WILL BE NEEDED.</b>		
Thur	12.00	00.00			
Fri	12.00	02.30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	12.00	02.30			
Sun	12.00	00.00			



G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both	<input type="checkbox"/>	
Mon					
Tue			Please give further details here (please read guidance note 5)		
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 5)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both - please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	23.00	00.00			
Tue	23.00	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed	23.00	00.00			
Thur	23.00	00.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Fri	23.00	02.30			
Sat	23.00	02.30			
Sun	23.00	00.00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption</b> - please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	12-00		<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
		00-00			
Tue	12-00				
		00-00			
Wed	12-00				
		00-00			
Thur	12-00		<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
		00-00			
Fri	12-00				
		02-30			
Sat	12-00				
		02-30			
Sun	12-00				
		00-00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

THERE WILL BE NO PORNOGRAPHY SHOWN, NO ADULT DANCING AND NO GAMBLING MACHINES, NOR WILL THERE BE ANY ADULT ENTERTAINMENT.

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	12.00	00.00	
Tue	12.00	00.00	
Wed	12.00	00.00	
Thur	12.00	00.00	
Fri	12.00	02.30	
Sat	12.00	02.30	
Sun	12.00	00.00	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Please tick as appropriate

☐  
☐

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General—all four licensing objectives (b, c, d and e)(please read guidance note 11)**

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP: Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to: A, no selling of alcohol to underage people. B, no drunk and disorderly behaviour on the premises area. C, vigilance in preventing the use and sale of illegal drugs at the retail area. D, no violent and anti-social behaviour. E, no any harm to children.

A Designated premises supervisor will be on site to ensure the day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorise each sale - Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers. - CCTV system installed with face recognition recording at all times whilst customers are present. As a licensed premises we know that it is necessary to operate our business with a purpose of promoting these objectives. We promise to support these objectives through our operating schedules and other measures including staff training and qualifications, policies, and strategic partnerships with other agencies.

**b) The prevention of crime and disorder**

There will be 2 Sia staff on site from 22:00 hrs on Friday and Saturday, they will detail their name, date and time of arrival in a dedicated book which will be available to the police and authorised council officers. Cctv will be in operation at all times premises is open to the public. Cctv will operational and able to record for 31 days. Cctv system will be linked to an external hard-drive, footage will be immediately available to police or authorised council officers. Cctv will be capable of full facial recognition of patrons entering and exiting the premises. All incidents of crime and disorder will immediately reported to the police and detailed in a incident report book which will be made available to police and authorised council authorities.

**c) Public safety**

Before premises opens and is operational management will check to ensure the premises is health and safety compliant. A first aider will always be on site. Sia will manage patron's disposal from the premises, they will be on site until all patrons have left the vicinity. We will have a taxi firm linked with our premises to ensure all patrons are getting home safe if they haven't made adequate means of getting home. All parts of the premises and all fittings and apparatus, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

**d) The prevention of public nuisance**

At regular intervals, management will monitor the external parts of the premises in regards to noise escape. All incidents of noise will be detailed in an incident report book which will be made available to any authorised officer. No drinks will be allowed outside after 22:00 hrs which will be enforced by Sia. Posters telling customers to leave quietly and respect neighbours will be placed on the doors as customers exit. If customers are ordering taxis/awaiting a lift they will kept in the premises until their mode of transport has arrived this is to ensure noise is kept in the building and not outside. Customers will be asked not to stand around loudly talking in the street outside the premises, smoking area is at the back and not in public view.

**e) The protection of children from harm**

No children under the age of 17 will be allowed in the premises after 22:00 hrs unaccompanied with an adult. An age check will be put in place by evidence of a current passport or photo driving license. Challenge 21 and challenge 25 will be enforced to ensure no one underage is drinking on the premises, Challenge 21 and Challenge 25 posters will be displayed in the premises.

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

I HAVE NOT ENCLOSED IT AS IT HAS BEEN  
LOST. A DUPLICATE HAS BEEN PAID FOR.

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

**Part 5 – Signatures** (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	[Redacted]
Date	13/12/18
Capacity	Director

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	[Redacted]
Date	[Redacted]
Capacity	[Redacted]

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

[Redacted]

Post town	[Redacted]	Post code	[Redacted]
Telephone number (if any)	[Redacted]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[Redacted]			

Notes for Guidance





The Licensing Unit  
Floor 3  
160 Tooley Street  
London  
SE1 2QH

**Metropolitan Police Service**  
**Licensing Office**  
Southwark Police Station,  
323 Borough High Street,  
LONDON,  
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/19/19

Date: 31/01/2019

Dear Sir/Madam

**Re:- Chandni Raja 134A Thurlow Park Road SE21 8HN**

Police are in possession of an application from the above for a Major variation to their premises licence. The application describes the operation as continuing to be a restaurant with the following extended hours

<b>Opening Hours</b>	
Mon -Thurs	12.00hrs – 00.00hrs
Fri-Sat	12.00hrs---02.30hrs
Sun	12.00hrs---00.00hrs
<b>Sale of alcohol on</b>	
Mon –Thurs	12.00hrs – 00.00hrs
Fri-Sat	12.00hrs—02.30hrs
Sun	12.00hrs---00.00hrs
<b>Late Night Refreshment</b>	
Mon-Thurs	23.00hrs--00.00hrs
Fri-Sat	23.00hrs—02.30hrs
Sun	23.00hrs—00.00hrs

The premises are situated in a residential area. The current operating hours are Mon-Fri 12.00hrs-00.00hrs which is generous as the Southwark Council Policy states the terminal hours should be 2300hours for a restaurant in a residential area. The

policy hours are in place to assist in the complying with the Licensing objectives and although the applicant has offered some additional conditions I cannot see any reason to deviate from the policy and with this in mind we object to the granting of this licence.

The Following is submitted for your consideration, Police would welcome the opportunity to conciliate should the need arise.

Yours Sincerely

**PC Mark Lynch 246MD**

Southwark Police Licensing Unit

Tel: 0207 232 6756

**From:** Public Health Licensing  
**Sent:** Friday, February 01, 2019 3:28 PM  
**To:** Regen, Licensing  
**Cc:** Shapo, Leidon; Tear, Jayne; Moore, Ray; Public Health Licensing  
**Subject:** RE: Chandni Raja, 134a Thurlow Park Road, SE21 8HN

To whom it may concern:

**RE: Chandni Raja, 134a Thurlow Park Road, SE21 8HN**

On behalf of the Director of Place and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

This representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Protection of children from harm

**General Comments**

The application requests a major variation to add Late night refreshments on Friday and Saturday and extend the opening hours and the sale of alcohol on the premises on Friday and Saturday.

The current granted hours are:

Currently granted hours	Opening Hours	Sale of alcohol on the premises	Late night refreshments
Monday - Sunday	12:00 – 00:00	12:00 – 00:00	23:00 – 00:00

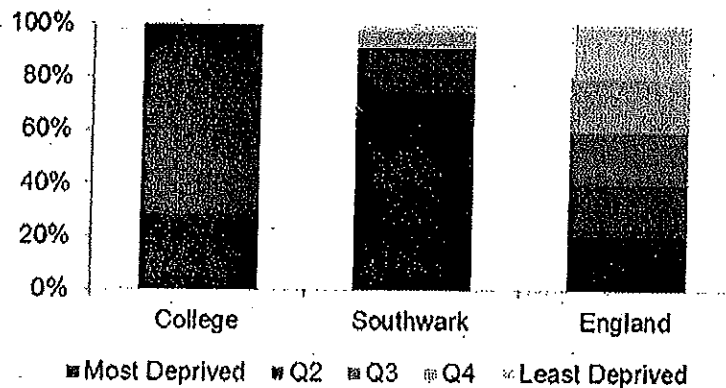
The requested changes to the hours are:

Requested hours	Opening Hours	Sale of alcohol on the premises	Late night refreshments
Friday and Sunday	12:00 – 02:30	12:00 – 02:30	23:00 – 02:30

### Concerns relating to this application

College is a ward with pockets of high deprivation. Figure 1 shows that 28% of residents are in the most deprived quintile and 72% are in the 3<sup>rd</sup> most deprived quintile. Furthermore 20% of working age adults in College are claiming out-of-work benefits (above the London average of 8% as of 2016).

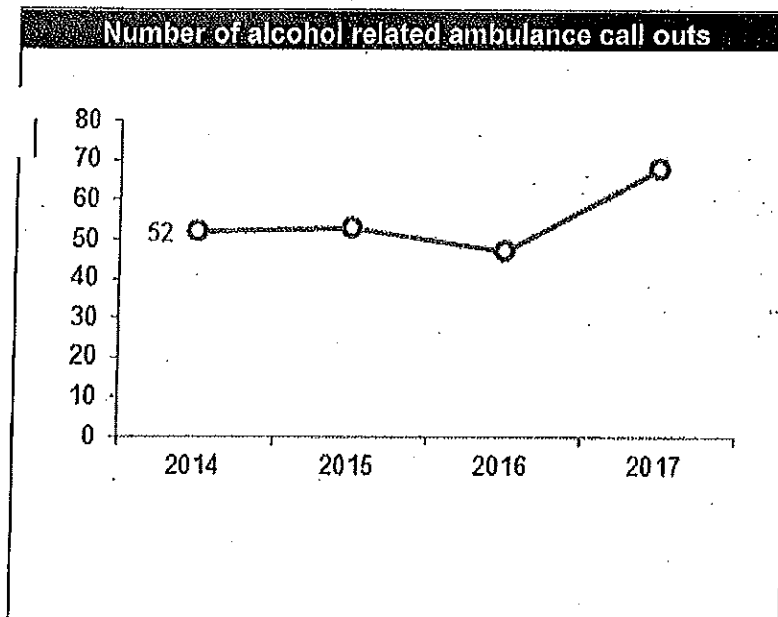
Figure. 1 – proportion of population in each deprivation quintile



This premises is located close to a populated residential area. The increased noise from more individuals consuming alcohol after 23:00 in the local area could have an impact on the sleep of residents living around this premises. A WHO report (2011) has found that fragmented sleep can result in short and long term health implications including; cognitive dysfunction, abnormal growth hormone release, increase of diastolic BP and increased risk of accidents. Certain groups of people are more vulnerable to noise including children, chronically ill and elderly people and shift workers (for more information see the evidence review attached).

Finally, although College has a low ambulance call-out rate (2% of Southwark call-outs from 2016 - 2018), this is increasing, as shown in Figure 2. Furthermore, recent studies have found that for each additional 1-hour extension to the opening times of premises selling alcohol, there was a 16% increase in violent crime, and a 34% increase in alcohol-related injuries.

Figure. 2 – Trend of alcohol related ambulance call outs in the College Ward



Finally, the applicant already benefits from generous hours, which exceed the recommended times set out in the Southwark's Statement of Licensing Policy for restaurants.

### **Recommendations**

Tanking in to account all of the above, I recommend this application be rejected in its current state.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely,

Clizia Deidda

*on behalf of Professor Kevin Fenton, Director of Place and Wellbeing (incorporating the role of Director of Public Health)*

**Clizia Deidda**

Public Health Policy Officer (Mental Health, Substance Misuse & Healthcare) | Public Health Division

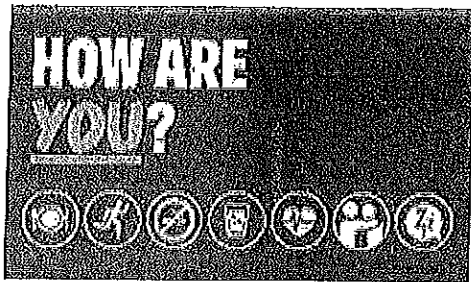
Place and Wellbeing Department | London Borough of Southwark


160 Tooley Street | London SE1P 5LX

T: 0207 525 7707 | M: 07710 179 570

E: [Clizia.deidda@southwark.gov.uk](mailto:Clizia.deidda@southwark.gov.uk)

[www.southwark.gov.uk](http://www.southwark.gov.uk)



 please consider the environment - do you really need to print this email?

**Buying alcohol at later times is associated with drinking excessive amounts of alcohol, which in turn increases the likelihood of harm to the drinker and others.**

There is evidence of this from a number of scientific studies from high-income countries across the last 3 decades. Extending the terminal hour of alcohol sales has increased alcohol-related harm (Smith 1988a, b; Smith 1990; Ragnarsdottir et al. 2002). Recently it was shown that each additional 1-hour extension to the opening times of premises selling alcohol was associated with a 16% increase in violent crime (Rossow & Norstrom 2012) and a 34% increase in alcohol-related injuries (de Goeij, Veldhuizen, Buster & Kunst, 2015). Within the UK, extensions of the hours of alcohol sales have been associated with increased per capita consumption of beer, increases in the number of alcohol-related diagnoses in hospitals, and increases in violent crime (Bruce 1980; Duffy & De Moira 1996). Within London, increases in alcohol-related overnight attendances to the ED and alcohol-related admission rates were associated with the 2005 implementation of the 2003 Act. The increases included a rise in the number of alcohol-related attendances as a consequence of injury and assault (Newton et al. 2007).

In light of this evidence, several scientific reviews have concluded that restricting the hours of alcohol sales is an effective strategy for reducing excessive alcohol consumption and related harms (Grover & Bozzo 1999; Stockwell & Gruenewald 2004; Smith 1988; Popova et al. 2009). A number of international bodies, including the World Health Organisation, have recommended the control of hours of alcohol sales as a means to reduce alcohol misuse and alcohol-related harms. We in the Public Health team at Southwark Council are heeding this advice by recommending stronger policies to reduce alcohol misuse and alcohol-related harm. Indeed, stronger policies have been associated with a reduced likelihood of youth drinking and youth binge drinking (Xuan et al. 2015), and binge drinking in the general population (Xuan et al. 2015). One of our recommendations is that the hours of alcohol sales be restricted. We are seeking a terminal hour of 0000 for all off-licenses.

**I would like some restriction on high-strength beers, lagers, and ciders, given that many purchasers of these drinks are alcohol misusers, and that one of these drinks exceeds the NHS's Safer Drinking Guidelines.**

The NHS's Safer Drinking Guidelines state that males should not regularly drink more than 3-4 units of alcohol, and that females should not regularly drink more than 2-3 units. We decided to ask for the 5% because:

- One 330mL bottle of 5% beer/lager/cider contains 1.7 units of alcohol
- One 440mL can of 4.5% beer/lager/cider contains 2 units of alcohol
- One 440mL can of strong beer/lager/cider contains 4.5 units of alcohol

Bruce D. Changes in Scottish drinking habits and behaviour following the extension of permitted evening opening hours. *Health Bull.* 1980;38(3):133-7

de Goeij MCM, Veldhuizen EM, Buster MCA, Kunst AE. The impact of extended closing times of alcohol outlets on alcohol-related injuries in the nightlife areas of Amsterdam: a controlled before-and-after evaluation. *Addiction.* 2015; 110: 955-964

Duffy JC, De Moira ACP. Changes in licensing law in England and Wales and indicators of alcohol-related problems. *Addiction Res.* 1996;4(3):245-71

Grover PL, Bozzo R. Preventing problems related to alcohol availability: environmental approaches. DHHS, SAMHSA, CSAP; 1999

Newton A, Sarker SJ, Pahal GS, van den Bergh E, Young C. Impact of the new UK licensing law on emergency hospital attendances: a cohort study. *Emerg Med J.* 2007;24:532-4

Popova S, Giesbrecht N, Bekmuradov D, Patra J. Hours and days of sale and density of alcohol outlets: impacts on alcohol consumption and damage: a systematic review. *Alcohol Alcohol.* 2009;44:500-16

Ragnarsdottir T, Kjartansdottir A, Davidsdottir S. Effect of extended alcohol serving hours in Reykjavik, Iceland. In: Room R, editor. *The effects of Nordic alcohol policies.* Helsinki, Finland: Nordic Council for Alcohol and Drug Research; 2002. pp. 145-54

Rossow I, Norström T. The impact of small changes in bar closing hours on violence. The Norwegian experience from 18 cities. *Addiction;* 107(3): 530-537

Smith DI. Effect on casualty traffic accidents of changing Sunday alcohol sales legislation in Victoria, Australia. *J Drug Issues.* 1990;20(3):417-26

Smith DI. Effectiveness of restrictions on availability as a means of preventing alcohol-related problems. *Contemp Drug Prob.* 1988;627-84

Smith DI. Effect on casualty traffic accidents of the introduction of 10 p.m. Monday to Saturday hotel closing in Victoria. *Aust Drug Alcohol Rev.* 1988;7:163-6

Smith DI. Effect on traffic accidents of introducing flexible hotel trading hours in Tasmania, Australia. *Br J Addict.* 1988;83:219-22

Stockwell T, Gruenewald P. Controls on the physical availability of alcohol. In: Heather N, Peters TJ, Stockwell T, editors. *International handbook of alcohol dependence and problems.* Chichester, UK: Wiley; 2004. pp. 699-719



### Licensing Act 2003 – Protection of Children from Harm

The impact opening hours has on night time noise is important to take into account when considering new licensing applications. Noise from events in premises and the dispersal of those leaving an event will contribute to the disturbance of residents in surrounding areas, particularly at night. Therefore, applications requesting hours outside those stated in the Southwark Licensing Policy, within residential areas, may considerably contribute to night time noise and negatively impact sleep.

According to the World Health Organisation (WHO) (2011), fragmented sleep can result in short and long term health implications including; cognitive dysfunction, abnormal growth hormone release, increase of diastolic BP and increased risk of accidents. Certain groups of people are more vulnerable to noise including children, chronically ill and elderly people and shift workers (WHO, 2011). Naturally, children spend more time in bed than adults and are more exposed to night time noise (WHO, 2011). Sleep is a vital part of daily life and children in particular need uninterrupted sleep for growth and cognitive development (Kamp, 2013). Disturbances during the night result in fragmented sleep and chronic partial sleep deprivation induces tiredness, lower vigilance and reduces daytime performance and overall quality of life (Ohrstrom & Griefahn, 1993; Passchier-Vermeer, 2003a; WHO, 2011). This can have a detrimental impact on early childhood development and education, which negatively affects lifelong achievement and health (WHO, 2011).

Sleep is an essential part of a healthy lifestyle and is recognised as a fundamental right under the European Convention on Human Rights (European Court of Human Rights, 2003). Night noise guidelines for Europe, set out by WHO, suggest the best protective measures to reduce sleep disturbance include the reduction of events or noise levels, or both (WHO, 2011). Children have no control over where they live. It is the council's obligation to take measures against negative impacts of night time noise in residential areas, to provide a healthy and supportive environment which maximises the health and wellbeing of children in the local area. To ensure night time noise is kept to a minimum, new licensing applications within residential areas should be restricted to hours within the recommended guidelines in Southwark's Licensing Policy.

#### References:

Passchier-Vermeer, W. (2003) Night-time noise events and awakening. TNO report 2003-32, Delft, The Netherlands.

Van Kamp, I.; Gidlof-Gunnarsson, A.; Persson Waye, K. (2013). The effects of noise disturbed sleep on children's health and cognitive development. *Journal of the Acoustical Society of America*, 133, 3506-3506.

World Health Organisation (WHO) Europe. (2009). Night noise guidelines for Europe.

World Health Organisation (WHO) Europe. (2011). Burden of disease from the environmental noise; quantification of healthy life years lost in Europe.

## MEMO: Licensing Unit

To	Licensing Unit	Date	6 February 2019
Copies			
From	Jayne Tear	Telephone	020 7525 0396 Fax
Email	jayne.tear@southwark.gov.uk		

Subject Re: Chandni Restaurant, 134a Thurlow Park Road. London, SE21 8HN -  
Application to vary a premises licence

I write with regards to the above application to vary a premises licence submitted by Chandni Restaurant under the Licensing Act 2003, which seeks the following licensable activities:

- To extend late night refreshment (indoors) on Friday and Saturday from 00:00 to 02:30 the following day
- To extend supply of alcohol (on the premises) on Friday and Saturday from 00:00 to 02:30 the following day
- To extend the opening times on Friday and Saturday from 00:00 to 02:30 the following day
- Overall opening times shall be on Sunday to Thursday from 12:00 to 00:00; and on Friday and Saturday from 12:00 to 02:30 the following day

My representation is based on the Southwark Statement of Licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance as this premise is situated within a residential area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for restaurants; cafes, public houses, wine bars or other drinking establishments on **Monday to Sunday is 23:00** and this application seeks hours in excess of that which is deemed appropriate for a residential area.

Further to this when there has not been any time left between the last sale of alcohol 'on sales' and the closing time when patrons should have left the premises, this can lead to conflict between staff and the customer having purchased an alcoholic drink for consumption on the premises minutes before closing time and being asked to either finish the drink or hand it back and to leave the premises. Additionally this will encourage patrons to rush consumption of alcoholic drinks at the same time of closing which can lead to antisocial behaviour problems when patron have left the premises.

Should the licensing sub committee be of a mind to grant the variation hours outside of the hours deemed appropriate within the policy I would recommend the following

- That the sales of alcohol cease at least half an hour before the closing time

Due to the limited information on the application form and to further promote the licensing objectives I ask the applicant to provide the following:

- An accomodation limit for the premises. (to be conditioned)
- To provide a written dispersal policy for the premises. (to be conditioned)

And that the following condition is added to the premises licence to ensure that the premises retains its nature as a restaurant:

- Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal and by consumption of such persons as an ancillary to their meal

I therefore submit this representation and welcome any discussion with the applicant.

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:  
<http://lbs-mapweb-01:9080/connect/Includes/APPIMA/SSOLP1620.pdf>

Jayne Tear  
Principal Licensing officer  
In the capacity of the Licensing Responsible Authority

XXXXX

XXXXX

XXXXX

Tel : xxxxx

Mob : xxxxx

[XXXXX](#)

February 5<sup>th</sup> 2018

Chandni Raja - Licensing Application No : 865757

The Dulwich Society opposed the above application.

They believe that an extension of opening hours until 02.30 am on Fridays and Saturdays by a licensed restaurant which plays music and has a busy take-away trade, is likely to result in increasing ( rather than preventing) both nuisance and crime and disorder in what is largely a residential area.

The extension sought to opening hours might be appropriate for, say, a bar or night club served by good public transport in a part of Southwark with an already busy night-time economy ( as per recommended closing times for such establishments in Southwark's Licensing Code ) but is not appropriate here.

If this application is granted, it could be the thin end of the wedge, with other similar establishments using it as a precedent for seeking similar extensions.

XXXX On Behalf of The Dulwich Society

Appendix E

Chandni Restaurant, 134A Thurlow Park Road, London, SE21 8HN



12-Feb-2019

20m

Southwark Maps 2 includes Crown copyright and database rights 2018 OS (0100015252 Aerial imagery from Venaski)

This page is intentionally blank.

**LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2018-19**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
Andrew Weir - Tel: 020 7525 7222

Name	No of copies	Name	No of copies
<b>Members</b>		<b>Officers</b>	
Councillor Renata Hamvas (Chair)	1	Debra Allday, legal team	1
Councillor Sirajul Islam	1	Wesley McArthur, licensing team	1
Councillor Kath Whittam	1	Andrew Heron, licensing team	1
		Jayne Tear, licensing team	1
Councillor Sunny Lambe (reserve)	By email	Richard Earis, environmental protection team	1
		Clizia Deidda, public health	1
		P.C. Ian Clements	By email
		P.C. Graham White	By email
		Andrew Weir (spares)	6
		<b>Total printed copies:</b>	<b>15</b>
		<b>Dated:</b> 19 February 2019	